

NOTICE OF INTENT

Department of Environmental Quality Office of Air Quality and Radiation Protection Air Quality Division

Crematories (LAC 33:III.2531) (AQ142)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality Division Regulations, LAC 33:III.2531 (AQ142).

The proposed changes would remove the thickness requirement under the definition of appropriate containers and would remove Section K.1, which requires a visual emissions test once every five years. These changes will have a negligible environmental impact while reducing the financial burden on the regulated community.

This proposed rule meets the exceptions listed in R.S. 30:2019(D)(3) and R.S. 49:953(G)(3), therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 25. Miscellaneous Incineration Rules

Subchapter D. Crematories

§2531. Standards of Performance for Crematories

* * *

[See Prior Text in A]

B. Definitions. Terms used in this Section are defined in LAC 33:III.111 of these regulations with the exception of those terms specifically defined below as follows:

Appropriate Containers plastic bags used as containers for animal remains shall be nonchlorinated. Any other container shall be made of materials containing less than 0.5 percent chlorine by weight as demonstrated by the manufacturer's data sheet.

* * *

[See Prior Text in B.Crematory - K]

1. All crematories with a design charge rate greater than 500 pounds per hour shall conduct emissions testing within 180 days of initial start-up to verify compliance with Subsections E.1-2 and F.1 of this Section using the following test methods:

- a. LAC 33:III.6015 (Method 5.Determination of Particulate Emissions from Stationary Sources);
- b. 40 CFR 60 (Method 10.Determination of Carbon Monoxide Emissions from Stationary Sources);
- c. LAC 33:III.6047 (Method 9.Visual Determination of the Opacity of Emissions from Stationary Sources); and
- d. other tests which may be added at pretest meetings.

2. The owner/operator shall provide the department at least 30 days prior notice of any emission test to the department the opportunity to conduct a pretest conference and to have an observer present. The department has the authority to invalidate any test results where such notice is not provided.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:1107 (October 1994), amended by LR 22:

A public hearing will be held on August 29, 1996, at 4 p.m. in the Maynard Ketcham Building, Room 326, Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, please contact Patsy Deaville at the address given below at (504) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by AQ142. Comments should be submitted no later than September 1, 1996, at 4:30 p.m., to Patsy Deaville, Investigations and Regulation Development Division, Box 82282, Baton Rouge, LA 70810 or to FAX (504) 765-0486.

Gus Von Bodungen

Assistant Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Crematories (AQ142)

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR GOVERNMENTAL UNITS (Summary)
The proposed changes will result in a negligible reduction in the cost to the state due to the slightly reduced amount of paperwork which will be required.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS (Summary)
There will be no change in revenue collections due to the proposed changes.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
Cost savings to directly affected persons are estimated to range from \$500 up to \$4,000 per year per facility.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
Effects on competition and employment within the industry will be negligible. The proposed changes will affect the industry equally and will result in reduced costs.

Gustave Von Bodungen
Assistant Secretary
9607#062

Richard W. England
Assistant to the
Legislative Fiscal Officer